

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COLLEGE DIAMOND FUND INC.,

Plaintiff,

-against-

ROBERT DAVIS, as the de facto administrator
of the ESTATE OF LLOYD DAVIS, et al.,

Defendants.

24-CV-4800 (AT)(RFT)

ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge:

By Order of Reference dated August 5, 2024 (ECF 17), Judge Analisa Torres referred this case to me for general pretrial supervision and for a specific non-dispositive motion: Motion for Appointment of a Receiver (ECF Nos. 13-16).

On June 24, 2024, Plaintiff submitted a proposed order to show cause with emergency relief for the appointment of Receiver. (See ECF 13.) Defendants timely responded and Plaintiff submitted its Reply. (See ECF 41, 62, 64, 67, 69-75.) A telephonic hearing was held on October 7, 2024. At the conference I inquired about Plaintiff's standing and whether all stakeholders with an interest in the property were properly joined as parties.

By October 21, 2024, Plaintiff shall submit the additional filings discussed at the conference. This submission shall include supplemental briefing that (1) supports Plaintiff's claim that it has standing to seek the appointment of a Receiver in light of the Judgment of Foreclosure and Sale in the case captioned: *NYCTL 1998-2 TRUST AND THE BANK OF NEW YORK MELLON, AS COLLATERAL AGENT AND CUSTODIAN v. COLLEGE EQUITY FUND INC., et al.*; No. 26736/2019E ("Bronx County Action") and (2) indicates why Plaintiffs in the Bronx County Action and/or other stakeholders in the property need not be joined as indispensable parties.

DATED: New York, New York
October 7, 2024

SO ORDERED.



ROBYN F. TARNOFSKY
United States Magistrate Judge